

UNITED STATES DISTRICT COURT
 for the
 Northern District of Mississippi

FILED**MAR 11 2009**

DAVID R. CAPPAS
 By R. Cappas
 Deputy

United States of America)	
)	
v.)	Case No. 3:94CR00078-B-001
)	USM No. 10130-042
Kevin Dion Wiley a/k/a Edward Jefferson)	
)	
)	
Date of Previous Judgment: April 18, 1995 (Use Date of Last Amended Judgment if Applicable))	Defendant's Attorney: Federal Public Defender N.D.

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon agreed motion of (X) the defendant, (X) the U.S. Attorney, () the Director of the Bureau of Prisons, () the court, under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

() DENIED (X) GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 325 months is **reduced to 259 months**,

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level:	36	Amended Offense Level:	34
Criminal History Category:	V	Criminal History Category:	V
Previous Guideline Range:	292-365 months	Amended Guideline Range:	235-293 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE (Prior to any departures)

- (X) The reduced sentence is within the amended guideline range.
- () The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- () Other (explain):

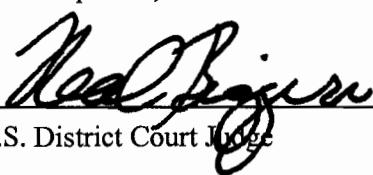
III. ADDITIONAL COMMENTS: This order becomes effective on the date(s) listed below. If the sentence imposed is less than the term already served, the sentence is reduced to a "time served" sentence.

Except as provided above, all provisions of the judgment dated April 18, 1995 shall remain in effect.

IT IS SO ORDERED.

Order Date: 3/11/09

Effective Date: 3/21/09
 (if different from order date)


 U.S. District Court Judge